



Attorney Docket No. 0756-7190

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Shunpei YAMAZAKI et al.

Serial No. 10/645,613

Filed: August 22, 2003

For: ELECTRO-OPTICAL DEVICE

) Group Art Unit: 2871

) Examiner: T. Duong

) CERTIFICATE OF MAILING

) I hereby certify that this correspondence is
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) Commissioner for Patents, P.O. Box 1450,
Alexandria, VA 22313-1450, on August 18,
2005.

RESPONSE

Honorable Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The Official Action mailed May 18, 2005, has been received and its contents carefully noted. This response is filed within three months of the mailing date of the Official Action and therefore is believed to be timely without extension of time. Accordingly, the Applicants respectfully submit that this response is being timely filed.

The Applicants note with appreciation the consideration of the Information Disclosure Statements filed on August 22, 2003, and August 2, 2004.

Claims 1-29 are pending in the present application, of which claims 1, 5, 10, 16 and 20 are independent. For the reasons set forth in detail below, all claims are believed to be in condition for allowance. Favorable reconsideration is requested.


The Official Action rejects claims 1-29 under the doctrine of obviousness-type double patenting over the combination of claims 1-24 of U.S. Patent No. 6,618,015 to Yamazaki et al., U.S. Patent No. 5,193,017 to Iwai et al. and JP 04-251220; claims 1-9, 25 and 26 as obvious based on the combination of U.S. Patent No. 5,543,945 to Kimura et al., JP 62-178905 and JP '220; claims 10-15 and 27 as obvious based on the combination of U.S. Patent No. 5,003,356 to Wakai et al., U.S. Patent No. 5,305,126 to

Kobayashi et al., Iwai and JP '220; and claims 16-24, 28 and 29 as obvious based on the combination of Kimura, page 7, lines 12-21 of the Applicants' specification (referred to as Applicant's Prior Art Admission (APAA) in the Official Action), JP '905 and JP '220. In other words, all of the rejections rely on JP '220.

In order to overcome these rejections, a verified English translation of priority application JP 4-91802 filed March 17, 1992, is filed concurrently herewith. Since JP '220 has a publication date of September 7, 1992, which is later than the filing date of JP '802, the Applicants respectfully submit that the obviousness-type double patenting rejection and the rejections under § 103 should be overcome. Accordingly, reconsideration and withdrawal of the obviousness-type double patenting rejection and the rejections under § 103 are in order and respectfully requested.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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